



Clerk of the Supreme Court of Wisconsin  
Attention: Deputy Clerk-Rules  
P.O. Box 1688  
Madison, WI 53701-1688  
Via E-Mail ([clerk@wicourts.gov](mailto:clerk@wicourts.gov))

February 29, 2016

RE: In the Matter of the Review of the Discretionary Transfer of Cases to Tribal Court – a public hearing to review the operation of Wis. Stat. § 801.54

Dear Chief Justice Roggensack and Associate Justices:

As the child support attorney for Red Cliff Child Support Services Agency, I am responding to the Court's invitation to submit additional comments to Rule Petition 07-11C following the public hearing on November 10, 2015 and prior to the open administrative rules conference scheduled for March 17, 2016.

I attended the hearing on November 10, 2015; spoke before the Court regarding the many transfer hearings under 801.54 that I have witnessed and the positive manner in which Wisconsin circuit court judges have followed the Court's guidance by rule. Other practitioners, judges, and tribal officials from around the state presented testimony praising the success of 801.54 and supported the permanent adoption of the Rule.

At the hearing, I also listened to several witnesses that presented grievances the majority of which did not relate directly to 801.54. In fact these grievances were regarding *particular cases* and a *particular* tribe. The only witness who alleged grievances against the Oneida Nation that did relate to 801.54 revealed to the Court that her case **did not** transfer to tribal court. It was difficult to listen to so many personal grievances dealing with child welfare and employment issues going back several years at a hearing *specific* to the Discretionary Transfer of Cases to Tribal Court from Circuit Courts. Furthermore, there was no way the tribe who the grievances concerned, could respond publicly to individual cases and in particular at an open hearing before the Wisconsin Supreme Court. As an attendee listening to the witnesses, the one testimony I

heard specific to a complaint about 801.54 coupled with the revelation that the case **did not** transfer - revealed to me that the process **is** working.

As a practitioner, I urge the Court permanently adopt Wis. Stat. § 801.54 as it is written. May the Court view the positive testimony of the attendees at the November 10, 2015 hearing who spoke specifically to 801.54 transfers as an example of the ongoing success of this process. I hope the Supreme Court will continue to support the successful transfer mechanism put in place to guide Wisconsin circuit courts.

Sincerely,

A handwritten signature in blue ink that reads "Tish Keahna Kruzan". The signature is written in a cursive, flowing style.

Tish Keahna Kruzan  
Child Support Attorney, Red Cliff Child Support Services Agency